

**NOVA SCOTIA COURT OF APPEAL**

**Citation:** Nova Scotia (Workers' Compensation Board) v. Boyle Estate,  
2004 NSCA 88

**Date:** 20040625

**Docket:** CA 194961

**Registry:** Halifax

**Between:**

Workers' Compensation Board of Nova Scotia

Appellant

v.

Workers' Compensation Appeals Tribunal of Nova Scotia  
and Estate of James R. Boyle (deceased worker) and  
Sydney Steel Corporation

Respondent

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**Judge:** The Honourable Justice Joel E. Fichaud

**Appeal Heard:** May 13, 2004

**Subject:** *Workmen's Compensation - meaning of "compensation" - jurisdiction to award interest*

**Summary:** The Workers' Compensation Appeals Tribunal ("WCAT") ordered the Workers' Compensation Board ("WCB") to pay interest to compensate for delay in paying benefits under the **Workers' Compensation Act**, S.N.S. 1994-95, c. 10.

**Issue:** Does WCAT have power to order WCB to pay interest?

**Result:** The WCB and WCAT on appeal may order "compensation as provided by this Part." As interest was not specified in Part I of the **Act** or in the Regulations or policies thereunder, the WCAT had no power to award interest.

**This information sheet does not form part of the court's judgment. Quotes must be from the judgment, not this cover sheet. The full court judgment consists of 23 pages.**

